

**AMENDMENTS TO THE CLAIMS**

1. **(Currently amended)** A preventive or therapeutic agent for infection(s) with a pathogenic microorganism, containing a member of basidiomycetes belonging to genus a biologically pure culture of *Tricholoma* or an extract thereof.
2. **(Original)** The infection preventive or therapeutic agent according to claim 1, wherein the member of basidiomycetes belonging to genus *Tricholoma* is *Tricholoma matsutake*.
3. **(Original)** The infection preventive or therapeutic agent according to claim 2, wherein *Tricholoma matsutake* is a mycelium, a broth or a fruit body (including a spore).
4. **(Original)** The infection preventive or therapeutic agent according to claim 2, wherein *Tricholoma matsutake* is the FERM BP-7304 strain.
5. **(Withdrawn)** The infection preventive or therapeutic agent according to claim 2, wherein the *Tricholoma matsutake* extract contains at least one of: a hot water extract of the mycelia of FERM BP-7304 strain; an alkaline solution extract of the mycelia of FERM BP-7304 strain; an anion exchange resin adsorption fraction of the hot water extract; and an anion exchange resin adsorption fraction of the alkaline solution extract.
6. **(Withdrawn)** The infection preventive or therapeutic agent according to claim 2, wherein the *Tricholoma matsutake* extract is an anion exchange resin adsorption fraction of a mixture obtained by mixing a hot water extract of the mycelia of the FERM BP-7304 strain with an alkaline solution extract of a mycelia residue when the mycelia hot water extract is obtained, wherein the anion exchange resin adsorption fraction has (a) a carbohydrate content of 60% to 72% in glucose equivalent determined by a phenol-sulfuric acid method and (b) a protein content of 28% to 40% in albumin equivalent determined by a copper-Folin method.

**7. (Original)** The infection preventive or therapeutic agent according to claim 1, which is intended for pathogenic bacteria.

**8. (Original)** The infection preventive or therapeutic agent according to claim 1, which is intended for a gram-negative bacterium.

**9. (Original)** The infection preventive or therapeutic agent according to claim 8, wherein the gram-negative bacterium is any of *Pseudomonas aeruginosa*, *Escherichia coli* including O-157, and *Helicobacter pylori*.

**10. (Original)** The infection preventive or therapeutic agent according to claim 1, which is intended for a gram-positive bacterium.

**11. (Original)** The infection preventive or therapeutic agent according to claim 10, wherein the gram-positive bacterium is *Listeria monocytogenes*.

**12. (Original)** A preventive or therapeutic agent for infection with a pathogenic microorganism, containing an infection preventive or therapeutic agent of claim 1 and an antibiotic.

**13. (Withdrawn)** A method of preventing or treating infection(s) with a pathogenic microorganism which comprises administering to a human or an animal in an effective amount of the preventive or therapeutic agent of any one of claims 1 - 11.

**14. (Withdrawn)** A method of preventing or treating infection(s) with a pathogenic microorganism which comprises administering to a human or an animal in an effective amount of the preventive or therapeutic agent of claim 12.

**15. (Currently amended)** A preventive or therapeutic food for infection with a pathogenic microorganism, containing a member of basidiomycetes belonging to ~~genus a~~ biologically pure culture of *Tricholoma* or an extract thereof.

**16. (Original)** The infection preventive or therapeutic food according to claim 15, wherein the member of basidiomycetes belonging to genus *Tricholoma* is *Tricholoma matsutake*.

**17. (Original)** The infection preventive or therapeutic food according to claim 16, wherein a mycelium, a broth or a fruit body (including a spore) of *Tricholoma matsutake* is used.

**18. (Original)** The infection preventive or therapeutic food according to claim 16, wherein *Tricholoma matsutake* is the FERM BP-7304 strain.

**19. (Withdrawn)** The infection preventive or therapeutic food according to claim 16, wherein the *Tricholoma matsutake* extract contains at least one of: a hot water extract of the mycelia of FERM BP-7304 strain; an alkaline solution extract of the mycelia of FERM BP-7304 strain; an anion exchange resin adsorption fraction of the hot water extract; and an anion exchange resin adsorption fraction of the alkaline solution extract.

**20. (Withdrawn)** The infection preventive or therapeutic food according to claim 16, wherein the *Tricholoma matsutake* extract is an anion exchange resin adsorption fraction of a mixture solution obtained by mixing a hot water extract of the mycelia of the FERM BP-7304 strain with an alkaline solution extract of a mycelia residue when the mycelia hot water extract is obtained, wherein the anion exchange resin adsorption fraction has (a) a carbohydrate content of 60% to 72% in glucose equivalent determined by a phe-nol-sulfuric acid method and (b) a protein content of 28% to 40% in albumin equivalent determined by a copper-Folin method.

**21. (Original)** The infection preventive or therapeutic food according to claim 15, which is intended for pathogenic bacteria.

**22. (Original)** The infection preventive or therapeutic food according to claim 15, which is intended for a gram-negative bacterium.

**23. (Original)** The infection preventive or therapeutic food according to claim 22, wherein the gram-negative bacterium is any of *Pseu-domonas aeruginosa*, *Escherichia coli* including O-157, and *Helicobacter pylori*.

**24. (Original)** The infection preventive or therapeutic food according to claim 15, which is intended for a gram-positive bacterium.

**25. (Original)** The infection preventive or therapeutic food according to claim 24, wherein the gram-positive bacterium is *Listeria monocytogenes*.

**26. (Original)** A preventive or therapeutic food for infection with a pathogenic microorganism, containing an infection preventive or therapeutic food of claim 15 and an antibiotic.

**27. (Withdrawn)** A method of preventing or treating infection(s) with a pathogenic microorganism which comprises the intake of by a human or an animal in an effective amount of the preventive or therapeutic food of any one of claims 15 - 25.

**28. (Withdrawn)** A method of preventing or treating infection(s) with a pathogenic microorganism which comprises the intake of by a human or an animal in an effective amount of the preventive or therapeutic food of claim 26.